

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN DOES A, B, C, D, E, F, G, H,
MARY DOE and MARY ROE,
on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

File No. 2:22-cv-10209

Hon. Mark A. Goldsmith

GRETCHEN WHITMER, Governor of the
State of Michigan, and COL. JOSEPH
GASPER, Director of the Michigan State
Police, in their official capacities,

Mag. Curtis Ivy, Jr.

Defendants.

ORDER FOLLOWING DISCOVERY HEARING

On January 12, 2023, the parties appeared before the Court for a hearing on their unresolved discovery disputes which include whether the Michigan State Police (MSP) may release non-public data contained in Michigan's sex offender registry to class counsel in this case subject to a protective order. The non-public data includes (1) non-public information about registrants who are on the public sex offender registry, and (2) information about registrants who do not appear on Michigan's public sex offender registry.

The Court finds that, in the circumstances here where class counsel has been

appointed and seek discovery on behalf of the class, such disclosure is not barred by statute as argued by Defendants. The Court orders Defendants to disclose non-public sex offender registry data to Plaintiffs' counsel as further set out below, subject to the terms of the previously entered protective order and any subsequent protective orders. The Court will issue a written opinion subsequent to this order.

The Court orders Defendants to produce the following information:

1. For all current registrants, Defendants shall produce public and non-public data for all fields on Exhibit A to Plaintiff's First Interrogatories and Requests for Production, ECF 78-1, Exh. A, to the extent it is available including such historical data that is available.

Defendants shall provide the data as soon as reasonably possible.

Regarding all data fields and historical data that Defendants do not produce, the parties and a person(s) from the MSP with expertise in the registry database shall meet and confer. Plaintiffs' expert may also participate in the meet and confer.

SO ORDERED.

Dated: January 13, 2023
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing

on January 13, 2023.

s/J. McCoy
Case Manager

Approved as to form by:

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